

10/593896

Translation of the pertinent portions of a Notification Regarding the Forwarding of the International Search Report and the Written Decision by the International Searching Authority or of the Declaration, mailed 06/20/2005

This International Search Report comprises a total of 5 pages. Copies of the documents cited in this report are also enclosed.

4. Regarding the title of the invention:

X the wording filed by Applicant is approved.

5. Regarding the abstract:

X the wording was determined by the Office in accordance with Rule 38.2b) in the version shown in Field IV.

6. Fig. 4, as selected by the Office, is to be published with the abstract, since Applicant has not proposed a drawing figure.

Field IV [The translation of the wording of the abstract is shown on the cover page of the published PCT application]

WRITTEN NOTIFICATION FROM THE INTERNATIONAL SEARCHING AUTHORITY

1. This Notification contains information regarding the following items:

Field I Basis of the Notification
Field II Priority
Field V Reasoned Determination under Rule 43bis.1(a) (I)
Field VIII Certain Remarks regarding the International
 Application

Field I Basis of the Notification

1. Regarding the **language**, the report has been prepared on the basis of the international application in the language in which it was filed, provided nothing different is cited under this item.

Field II Priority

1. The validity of the claim of priority was not considered since the International Office does not have a copy of the prior application or, if required, a translation of the prior application. Nevertheless, this report has been prepared under the assumption that the ruling date (Rules 43bis.1 and 64.1) is the claimed priority date.

Field V Reasoned Determination under Rule 43bis.1(a) (I)

1. Determination

Novelty Yes: Claims 1 to 23
 No: Claims

Inventive Activities Yes: Claims
 No: Claims 1 to 23

Commercial Applicability Yes: Claims 1 to 23
 No: Claims

2. References and Explanations

see the attached sheet

Field VIII Certain Remarks regarding the International
 Application

The following has been noted regarding the clarity of the claims, of the specification and of the drawings, or regarding the

question whether the claims are supported in their entirety by the specification:

see the attached sheet

ATTACHED SHEET

Re.: Item V

1. Reference is made to the following documents:

D1: USP 4,685,139

D2: USP 5,712,921

Re.: Item VIII

The application does not meet the requirements of Article 6 PCT, because claims 1, 4, 9, 11, 12, 14, 16, 19, 20 are not clear.

Claim 1: it is not clear of what type the mentioned deviation is and to which size it relates. Moreover, information as to how the decision thresholds are defined is lacking. It is furthermore not clear how "a further decision threshold is provided", which is evaluated by two decision thresholds.

Claim 4: it is unclear what is meant by "that number of deviations".

Claim 9: it is unclear what is meant by the imprecise designation "production classified as good".

Claim 11: it is not clear as to how a maximum and a minimum value can be generated for each pixel from a reference image.

Claim 12: it is unclear how the recordings differ so that a maximum and minimum value is created for each pixel.

The reasoned determination regarding novelty and inventive activities (see below) is based on the assumption that the recordings represent different color separations of the reference image, for example.

Claim 14: contrast can only exist if the reference image is a monochrome pattern. However, this would contradict to the assumptions regarding claim 12.

Claim 16: the expressions "locally close together" and out "a deviation of increased area" are vague and unclear and leave the reader in doubt as to the meaning of the respective technical characteristics. This has the result that the definition of the subject of these claims is not clear. Moreover, the meaning of "pixels standing out from the reference image" is completely unclear.

In claim 19 it appears that the area of the pixel field for pixels is meant, **whose amplitude values** lie above the F-threshold.

Claim 20: the meaning and application of the error weight needs to be clarified.

In spite of the lack of clarity of the claims it is possible to make the following statements regarding novelty and inventive activities of the present claims:

The present application does not meet the requirements of Article 33(1) PCT, because the subject of the claims is not based on inventive activities within the meaning of Article 33(3).

Document D1 is considered to be the closest prior art in regard to the subject of claim 1. In the expression used in claim 1 (the references relate to this document):

A method for the early detection of a deviation in printed images created by a printing press during an ongoing production (col. 1, lines 6 to 9) wherein, ~~in addition to the decision~~ ~~regarding the decision~~ ~~threshold~~ ~~provided~~, a further decision threshold is provided, wherein an actually recorded printed image is compared with a reference image (col. 3, 57 to 59), characterized in that in case of a deviation of the actually recorded printed image from its reference image the deviation existing between the actually recorded printed image and the reference image is evaluated on the basis of two decision thresholds (col. 9, lines 61 to 64).

The crossed-out property of claim 1 cannot directly be found in D1. However, it is not considered to be inventive to perform, in addition to a step for quality control, not further specified steps (for example a decision regarding good or poor print quality).

Dependent claims 2 to 23 do not contain any characteristics which, in combination with the characteristics of any claim from which they depend, would meet the requirements of PCT in respect to novelty and inventive activities. These characteristics can be found, applied in the same or similar manner for the same or similar purpose in the publications D1 and D2.

(D2 represents a very similar system as the one described in D1).

Claims 2 to 6, 8: D2, col. 11, lines 36 to 44: two warning thresholds in connection with the evaluation of the comparison of a prototype (reference) image.

Claim 9: D2, col. 2, lines 5 to 11

Claim 10: D2, col. 2, lines 43 to 47

Claim 11- 12: D1, col. 9, lines 13 to 18 (reference data sets of the base colors used with a tolerance range for a full saturation of the respective color are used for the described method, this corresponds to the claimed maximum and minimum values of the reference image)

Claim 15: D1, col. 8, line 62 to col. 9, line 5, and D2, col. 11, lines 36 to 44

Claim 16: D2, col. 8, lines 16 to 19

Claims 17, 18: D2, col. 11, lines 16 to 18

Claims 19, 20: D2, col. 11, lines 36 to 144, col. 14, lines 31 to 45

Claims 21 to 23: D2, col. 11, lines 48 to 50.

Industrial applicability is a given in the technical field of quality control of generated printed images.